

# MINUTES

Regular Meeting of Ellendale Town Council  
July 06, 2022  
Council Chambers – 300 McCaulley Street

1. **Call to Order**
2. **Pledge of Allegiance/Moment of Silence**
3. **Roll Call**

**Town Council Members Present:**

Council Member Aaron Moore, President  
Council Member Tamara Skis, Vice President

Council Member Lisa Workman, Treasurer

**Town Council Members Absent:**

Council Member Kimberly Koukaras, Secretary  
Council Member Kim Hughes

**Town Staff Present:**

Craig Eliassen, Town Solicitor  
Chief of Police, Bruce VonGoerres  
Karen Emory Brittingham, Town Clerk

**Members of the Public Present:**

See Sign In Sheet, dated July 06, 2022

4. **Approval of Agenda**

**MOTION** to amend moving item 10. New Business 1. 211 Pine Street Commercial Rezoning Request as first item, made by T. Skis, 2<sup>nd</sup> by L. Workman. **MOTION PASSED** unanimously.

**Item 10. New Business**

1. **211 Pine Street Commercial Rezoning Request.** Public Hearing held 06 July 2022. **MOTION** made by T. Skis to approve Rezoning property from R1 to C2, 2<sup>nd</sup> by L. Workman. Roll call:  
T. Skis voted yes, as the building/property will expand EMS services to the Town of Ellendale. L. Workman voted yes, as it will enhance the safety and welfare of the Town. A. Moore voted yes, as the C2 zoning will align with the current use of the property and align with the Comprehensive Plan. **MOTION CARRIED** unanimously.

**Reading & Approval of Previous Minutes**

**MOTION** to Accept the Minutes, with correction of spelling errors, made by T. Skis, 2<sup>nd</sup> by L. Workman. **MOTION PASSED** unanimously.

5. **Treasurer's Report**

A. Moore provided information on the six months (January to June) from 2021 as compared to 2022. Fuel costs have more than doubled, which affects the budget for Public Works and the Police Department, which may result in

being over budget for this line item. **MOTION** to accept reports given by A. Moore made by T. Skis, 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously.

### **Police Chief's Report**

Report presented by Chief Van Gorres. **MOTION** to approve report as submitted made by T. Skis, 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously. T. Skis thanked Chief VonGorres for his participation and representing Ellendale in the "Torch Run".

### **Town Clerk's Report**

Continuing with archiving paperwork, setting up property folders. Processing licenses and permit applications. **MOTION** to accept verbal report made by T. Skis, 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously.

## **9. Old Business:**

1. **Committee Updates:** A. Moore asked for an update on the Youth Council. L. Workman is continuing to work on organizing a start up in August and will coordinate with flyers and activities. Also working to clarify age requirement. A. Moore provided an update on the Sunshine Committee including the Bookmobile which is coming to town every three weeks and the Delaware State Parks Program, which is here every week on Thursday. T. Skis asked about Family Fun Day, which has not been held since 2018 due to COVID restrictions. This also includes the Backpack Giveaway, which provides school supplies for children in Town. Dates suggested for Youth Council is August 7<sup>th</sup> and for Family Fund Day August 27<sup>th</sup>.
2. **Annexation Updates:**
  - i. **Garey Farm/Horsey Annexation** request has been to Planning and now working on Annexation Agreement, which will need to be reviewed by legal council and then presented to the State for approval. Minimum three months.
  - ii. **Newdale Acres:** Set Public Hearing for July 21, 2022, 7:00 pm at Ellendale Fire Hall. **MOTION** to approve hearing date made by T. Skis, 2<sup>nd</sup> by L. Workman **MOTION CARRIED** unanimously. A. Moore will post to the website, advertise and send letters to surrounding properties.
3. **Town Hall License/Computer System:** T. Skis provided an update as she continues to update the system. Now allows for sharable files and a more secure system. T. Panos asked if the system will allow community email access from the website for better community participation. T. Skis will research. S. Reed said this will allow the community to know what is going on and better participation from the public. **NOTE:** *K. Brittingham asked for the Public to identify themselves when speaking. A. Moore noted the council welcomes public participation, but to keep the meeting on track, we need to limit some of the cross discussion. There is a place on the agenda for Public Comment. T. Skis mentioned the "Decorum Policy", which is available online. L. Workman added it is not to limit or discourage public participation, but to keep the agenda on track.*
4. **QuickBooks – Update:** A. Moore provided an update the payroll version has now been updated. There is a need to provide the ability to take credit card

payments. Currently, we accept cash or check, both of which are restrictive. Several payments have been delayed because we do not take credit cards. Payments can be made for taxes, permits as well as licenses. K. Brittingham said not taking credit card payments has resulted in many payments being delayed, including those by out of state individuals who are trying to satisfy the outstanding balances for family members, etc. L. Workman provided fee information from various vendors. A. Moore provided information on tying credit payments to QuickBooks. L. Workman said we need to move this forward. **MOTION** made by T. Skis to use QuickBooks to provide for digital/credit payments, including potentially adding a second user, at a cost not to exceed \$200. 2<sup>nd</sup> by L. Workman . **MOTION CARRIED** unanimously.

5. Financial Audit: L. Workman provided and update that she has been in contact with several potential firms. One firm quoted \$12,000. She is waiting on additional quotes, which will be presented at a future meeting. A full audit has not been done since 2018 and is necessary for USDA grant funding, as well as other potential funding opportunities.
6. Delinquent Property Taxes: A. Moore began discussion on back taxes, including an update on "...one of the top 3" being paid. One resident is making payments on the balance. A full list of outstanding balances will now be easier to get with the QuickBooks update.
7. Review Fee Schedule – Discussion. A. Moore reviewed the spread sheet that was provided, showing a comparison of fees established in other municipalities. Specifically, the cost comparison of the taxes on a \$30,000 home. Ellendale is significantly lower. Ellendale has not kept up with inflation. He reviewed the cost for Police officers, etc. If the town loses an officer, we will not be able to get a replacement for three (3) years. T. Ottomano stated an officer is needed. C. Rojas stated it is imperative that we have an officer and that he gets help. One officer cannot do it all. T. Panas asked if the budget provided for an additional officer, or a raise to the existing officer. A. Moore suggested a Public Workshop to present the information to the public for their input. C. Eliassen said the fee schedule should be done by Ordinance, so the fees can be adjusted in the future, as needed. A Public Workshop and Notice will be scheduled.
8. Sussex County RTT Funds – Update. A Moore provided information that the new Police Vehicle, after many delays, should be delivered this month. Cameras and radar will be installed. The Radar/Speed trailer is scheduled for delivery July 15. All RTT funds have been spent.
9. Charter Update- (Note: Not on the Agenda) A. Moore provided an update that the amendments to the Town Charter have been approved, and they are waiting on the signature of the Governor. L. Workman asked that we keep a running list of any changes that may need to be made as we progress through the year. A. Moore confirmed the revised Charter does include the availability to provide for special tax districts. C. Eliassen also mentioned that changes may not need to be done by amending the charter, but through Ordinance. Any change will need to be reviewed for options available.

**New Business:**

1. Alley Traffic Flow: A. Moore provided information on a request by a resident to allow for a "Right Turn Only" sign at the exit of his shop, as two way traffic forces the vehicle to use part of a neighbor's yard. R. Moore asked about Ponder Avenue. A. Moore stated that in the past, discussion has been to make all alleys within the town one way, as they were never meant for two-way traffic. L. Workman suggested sending the request to the Planning Commission for review and recommendation. K. Brittingham suggested that Planning be provided with information on all alleys being considered for review. **MOTION** made by T. Skis to send the request for changes to alleys to the Planning Commission for review and recommendation. 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously.
1. Special Use Request: 502 Main Street. A. Moore stated this has been reviewed by the Planning Commission, with a recommendation for approval with the following conditions.
  - a. She will be using less than 25% of her home,
  - b. All classes will be held inside her home,
  - c. All equipment is stored inside, there is nothing visible from outside the home,
  - d. There will be no external alterations,
  - e. Classes are limited to six (6) people and there is adequate parking on the lot,
  - f. Classes cannot be heard outside the home. There are no loud noises and there will be no negative effects on the neighbors.

M. Reed, owner and applicant was present on behalf of the application. L. Workman had questions regarding the parking. Mrs. Reed stated that she requests the participants park in the back yard area to avoid parking on the street. A. Moore said this is a State right-of-way and the town cannot restrict parking. **MOTION** made by T. Skis to approve the Special Use Request, with the six conditions and that any changes to the use or ownership will require review by council. 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously. Applicant was also advised of a permit needed for signage and a Business License to operate a business within Town Limits.

2. Outdoor Dining Policy: A. Moore presented information on a request from a business owner for Outside Dining. Currently, there are no provisions for this in the Code. Permission was given during COVID due to the restraints imposed that created a hardship. However, this expired in March of 2022. Other guidelines are imposed though Homeland Security and Public Health. DelDOT may also be involved if access is near a state right-of-way. C. Elliassen confirmed the existing business does not have a liquor license. A. Moore (having removed

himself a President of the meeting) stated he supports outside dining as long as the conditions for health and safety are met. T. Skis said it needs to be done to enhance the town, not site specific. L. Workman said there needs to be strict guidelines in place. This needs to be sent to the Planning Commission for recommendations and guidelines. We need to confirm what we want it to look like and have specific guidelines in place through an ordinance. R. Moore asked if it was still in the Charter, A. Moore said no as it was unenforceable. C. Eliassen said Towns do not have the ability to mandate a “dry” town. It is unenforceable. This was confirmed by C. Eliassen. **MOTION** made by T. Skis to send the request for recommendations for policy to the Planning Commission. 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously.

3. Documents for Recorder of Deeds: A. Moore presented information on the need for documents to be recorded with the Office of the Recorder of Deeds. There is a fee, but it will allow all of the legal documents to be retrievable. For example, the agreement with Ingram Village expired. S. Aldridge was here on behalf of Insight Land Company, and he expressed that even though the documents were difficult to locate and enforce, his firm was working with the developer to reach an agreement that would be comparable and acceptable to the town. They do not own the subdivision, roads, open space, etc. They are only the owners of individual lots. However, they are working towards an agreement that will allow the subdivision work to be completed as promised. This may include a Power of Attorney. A. Moore indicated that recording it will make it enforceable. T. Skis asked if this a discussion for a particular document, or documents in general. A. Moore said this is for both but includes Ingram Village. B. Cash asked if the existing owner in Ingram Village would be able to have any input. A. Moore said this is only for the undeveloped lots, as the owners in the subdivision were to be made aware of the restrictions when they purchased the property. He also has been in contact with the attorney to remind them to provide the restrictions at settlement. Moving forward it would make sure that documents for annexation, agreements, resolutions etc. would be recorded as protection for the Town. There is a cost involved for each document but again, it will allow protection for the town to produce those documents. **MOTION** made by T. Skis to record the executed document for Ingram Village when finalized, not to exceed \$250. 2<sup>nd</sup> by L. Workman **MOTION CARRIED** unanimously.
4. Property Acquisition: A. Moore provided an update on an offer, made by the town, to purchase property located on Washington Avenue. The offer, of \$58,250 was under the \$60,000 approved and was accepted. This is a potential location for a new police department. The current department is not ADA accessible and has other design and maintenance issues. The purchase is contingent on having the property added to the water district and a full title search to confirm no existing liens. **MOTION** made by T. Skis to finalize the acquisition. 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously. An additional property, located on Shorts Alley, has been offered as a donation to the town,

provided they pay all fees related to the transfer. While the property is not a buildable lot, it does allow for potential infrastructure location or sale to the adjacent property owner. C. Eliassen mentioned the property is exempt from Transfer Tax on both sides. **MOTION** made by T. Skis to move forward with the acquisition. 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously.

10. **Correspondence:** Thank you letter from Ingram Village resident to Town for cutting grass that was not to code. Additional concerns with parking on sidewalks. Parking tickets will be issued (New residents get written warning for first violation.) Resident also requested a suggestion box for residents to leave information. The existing drop box can be expanded for this use.

11. **Recognition of Visitors:** Mr. Ottomano mentioned concerns with over parking, which expands onto the sidewalk. Mrs. Ottomano suggested making the residents aware of the restrictions. Mr. Ottomano also mentioned the speeding issue on Gladys Street and proposed an ALL-WAY stop sign. T. Skis mentioned the streets are still maintained by the Developer, and this may not be an option at this time.

12. **Executive Session:** None

**ADJOURNMENT:** **MOTION** made by T. Skis at 9:12pm to adjourn, 2<sup>nd</sup> by L. Workman. **MOTION CARRIED** unanimously.